



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

November 3, 2016

Nathan P. Ehresman
Senior Regulatory Scientist
Nufarm Americas Inc – AGT Division
c/o Nufarm Americas Inc.
4020 Aerial Center Parkway
Morrisville, NC 27560

Subject: Label Amendment – Add California Use Restrictions
Product Name: Sativa 309 FS
EPA Registration Number: 55146-101
Application Date: 06/27/2016
Decision Number: 519097

Dear Mr. Ehresman:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Marcel Howard by phone at 703.305.6784, or via email at howard.marcel@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'HJ', written in a cursive style.

Hope Johnson, Product Manager 21
Fungicide Branch
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

SATIVA[®] 309 FS

FOR USE ONLY BY COMMERCIAL SEED TREATERS
FOR CONTROL OF SPECIFIED DISEASES ON CORN, WHEAT, BARLEY, TRITICALE AND OATS

ACTIVE INGREDIENT:

Tebuconazole:

Alpha-[2-(4-Chlorophenyl)ethyl]-alpha-

(1,1 -dimethylethyl)-1H-1,2,4-triazole-1-ethanol 28.3%

OTHER INGREDIENTS: 71.7%

TOTAL: 100.0%

Contains 2.6 pounds tebuconazole per gallon.

STOP — READ THE LABEL BEFORE USE

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE LABEL FOR PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300

For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 55146-101

EPA EST. NO. _____

MANUFACTURED FOR
NUFARM AMERICAS INC.
AGT DIVISION
11901 S. Austin Ave
Alsip, IL 60803



NET CONTENTS _____ Gallons (_____ Liters)

ACCEPTED

Nov 03, 2016

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under

EPA Reg. No. 55146-101

FIRST AID	
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth- to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.</p>	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to mammals, fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

Groundwater Advisory: Tebuconazole is known to leach through soil into groundwater under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Surface Water Advisory: This product may contaminate water through drift of spray in wind. This product has a high potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to runoff that contains this product. A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted within 48 hours.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

IMPORTANT: Read these entire Directions and Warranty before using this product

USE RESTRICTIONS:

Not for use on agricultural establishments in hopper-box, planter-box, slurry-box or other seed treatment applications at or immediately before planting.

For use by commercial seed treaters only.

When using formulations that do not contain dye, to comply with 40 CFR 153.155, all seed treated with an economic poison must be colored to distinguish and prevent subsequent inadvertent use as a food for man or feed for animals.

SEED TREATMENT

This product controls or suppresses certain designated seed and soilborne diseases of corn, wheat, barley, triticale, and oats.

CROP	DISEASE	RATE Fl. oz./100 lbs. of Seed	APPLICATION DIRECTIONS
Corn Field corn, Field corn grown for seed, popcorn, sweet corn	Soilborne and Seedborne <i>Fusarium</i> [†]	0.075-0.1	Apply this product as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment. Uniform application to seed is necessary to ensure seed safety and best disease protection. Seed must be sound and well cured before treatment.
	Soilborne and Seedborne Head Smut (<i>Sphacelotheca</i> <i>reiliana</i>) [†]	0.37-0.74	Dilute product with sufficient water to ensure seed is completely covered. Add dye to the resulting slurry. Consult a seed treatment specialist regarding slurry rates specified for the crop to be treated. The length of control will vary depending on the rate used.
Wheat Triticale	Stinking Smut [†] , Flag Smut [†] , Loose Smut [†] , Early Season <i>Septoria</i> Disease Complex, Early Season <i>Rhizoctonia</i> Root Rot, Early Season Common Root Rot, Early Season <i>Fusarium</i> Foot Rot [†] , Early Season Suppression of Powdery Mildew, Early Season Suppression of Wheat Leaf Rust	0.08 to 0.10	Apply this product as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment. Prepare a slurry by mixing the specified dosage in 9 to 20 fluid ounces of water per 100 pounds of seed. Add dye to the resulting slurry. Mix the slurry thoroughly with the seeds to provide uniform coverage.

[†] Not approved for this use in California

SEED TREATMENT (Continued)

This product controls or suppresses certain designated seed and soilborne diseases of corn, wheat, barley, triticale, and oats.

CROP	DISEASE	RATE Fl. oz./100 lbs. of Seed	APPLICATION DIRECTIONS
Barley	Covered Smut [†] , Loose Smut [†] , Barley Stripe (suppression), Early Season <i>Rhizoctonia</i> Root Rot, Early Season Common Root Rot, Early Season <i>Fusarium</i> Foot Rot [†] , Early Season Suppression of Powdery Mildew, Early Season Suppression of Barley Leaf Rust	0.08 to 0.10	Apply this product as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment. Prepare a slurry by mixing the specified dosage in 9 to 20 fluid ounces of water per 100 pounds of seed. Add dye to the resulting slurry. Mix the slurry thoroughly with the seeds to provide uniform coverage.
Oats	Loose Smut [†] , Pythium Damping-off, Early Season <i>Rhizoctonia</i> Root Rot, Early Season Common Root Rot, Early Season <i>Fusarium</i> Foot Rot [†] , Early Season Suppression of Powdery Mildew, Early Season Suppression of Crown Rust		

[†] Not approved for this use in California

SEED LABELING REQUIREMENTS

Seed that has been treated with this product that is then package or bagged for future use must contain the following labeling on the outside of the seed package or bag:

The Federal Seed Act requires that containers containing treated seeds shall be labeled with the following statements:

- This seed has been treated with SATIVA 309 FS Fungicide, a fungicide containing tebuconazole.
- Do not use treated seed for feed, food, or oil purposes.

The U.S. Environmental Protection Agency requires the following statements on containers containing seed treated with tebuconazole:

- Store treated seed away from food and feedstuffs.
- Do not allow children, pets or livestock to have access to treated seeds.
- Wear long pants, long-sleeved shirt and protective gloves when handling treated seed.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.
- Dispose of all excess treated seed by burying seed away from bodies of water.
- Barley, wheat and oat, green forage may be grazed or harvested for hay 31 days after seeding.
- Do not contaminate bodies of water when disposing of planting equipment wash water.
- Dispose of seed packaging or containers in accordance with local requirements.
- Excess treated seed may be used for ethanol production if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

[Note to Reviewer: The following statement will be included on all Final Printed Labels bearing multiple Container Handling statements] **NOTE:** This product is available in multiple containers. Refer to the Net Contents section of this product's labeling for the applicable "Nonrefillable" or "Refillable" designation. Follow the container handling instructions below that apply to your container type / size.]

[Nonrefillable Containers 5 Gallons or Less]

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

[Nonrefillable containers larger than 5 gallons]

Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure-rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

[Refillable containers]

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF THE MANUFACTURER OR SELLER AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW ARE ASSUMED BY THE BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

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If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV110116)

Sativa is a registered trademark of Nufarm Americas Inc.

LABEL HISTORY

File Name	Revision Mark	Comment
055146-00101.20100318.MASTER	RV031810	EPA Approval Corn & Triticale use
055146-00101.20140724.DRAFT	RV072414	Notification to Update Address, Net Contents, Updated Container disposal statements per PRN 2007-4
055146-00101.20140811.MASTER	RV081114	EPA Approval
055146-00101.20160627.DRAFT	RV062716	Label amendment for CA use restrictions
055146-00101.20161027.DRAFT	RV102716	Label revisions as requested by EPA
055146-00101.20161101.DRAFT	RV110116	Label revisions as requested by EPA